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16 JUL 2007

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|                                  |   |              |
|----------------------------------|---|--------------|
| In re Application of             | : |              |
| McCRINK, Edward J. et al.        | : |              |
| Application No.: 10/519,910      | : |              |
| PCT No.: PCT/US02/20888          | : |              |
| Int. Filing Date: 29 June 2002   | : | NOTIFICATION |
| Priority Date: 29 June 2001      | : |              |
| Attorney Docket No.: 816-P-2-USA | : |              |
| For: SEAM WELDED AIR HARDENABLE  | : |              |
| STEEL TUBING                     | : |              |

This notification is in response to applicant's submission of a 37 CFR 3.73(b) statement in the above application

**BACKGROUND**

On 29 June 2002, applicant filed international application PCT/US02/20888, which claimed a priority date of 29 June 2001. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 29 December 2003.

On 30 December 2004, applicant filed a transmittal letter for entry into the national phase in the United States accompanied by the basic national fee and a declaration executed by Davor Jack Raos.

On 10 June 2005, the Office mailed a Communication indicating that the application was abandoned.

On 03 November 2005, applicant submitted a petition to revive an unintentionally abandoned international application.

On 02 December 2005, the Office mailed Decision On Petition Under 37 CFR 1.137(b) granting applicant's petition for revival. The decision noted that the declaration in the application was defective as the declaration of Edward McCrink failed to list Davor Jack Raos and his citizenship.

On 16 January 2007, the Office mailed a Notification of Missing Requirements (Form PCT/DO/EO/905) to the Drummond and Duckworth address, indicating that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) was required. It was returned to the Office as undeliverable.

On 03 April 2007, applicant submitted a statement under 37 CFR 3.73(b) and a copy of a court order.

**DISCUSSION**

Applicant has made several attempts to change the correspondence address in this application. The current address is the one above. Applicant has filed a 37 CFR 3.73(b) statement and a copy of a court order, but the submission was not accompanied by instructions.

Further, an oath or declaration from Edward McCrink listing the correct inventive entity is still required. A Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to the Drummond and Duckworth address, but was returned as undeliverable. As indicated above, that was not the correct address with which to hold correspondence. As such, the Notification of Missing Requirements mailed 16 January 2007 is **VACATED**.

**CONCLUSION**

As discussed above, the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed 16 January 2007 is **VACATED**.

An oath or declaration in compliance with 37 CFR 1.497(a)-(b) must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under §1.136(a) are permitted. **Failure to file a timely and proper reply will result in ABANDONMENT of the application as to the United States of America.**

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

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